

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RYAN A. WILSON,

Plaintiff,

Civil Action No.
11-CV-12261

vs.

HON. MARK A. GOLDSMITH

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

**ORDER ACCEPTING AND ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE DATED JANUARY 31, 2012, AND GRANTING
THE MOTION TO DISMISS OF DEFENDANT THE MICHIGAN DEPARTMENT
OF CORRECTIONS**

This matter is presently before the Court on Magistrate Judge R. Steven Whalen's Report and Recommendation ("R&R"), issued on January 31, 2012. In the R&R, the Magistrate Judge recommends that the motion to dismiss of Defendant the Michigan Department of Corrections (MDOC) be granted. Plaintiff has not filed objections to R&R, and the time to do so has expired. Thus, Plaintiff has waived any further right to appeal. Thomas v. Arn, 474 U.S. 140, 155 (1985). In any event, the Court has reviewed the R&R and finds that the Magistrate Judge has reached the correct result for the proper reasons.¹ MDOC's motion to dismiss (Dkt. 14) is granted.

SO ORDERED.

Dated: February 17, 2012
Flint, Michigan

s/Mark A. Goldsmith____
MARK A. GOLDSMITH
UNITED STATES DISTRICT JUDGE

¹ In addition, the Court notes that Plaintiff did not file a response brief opposing MDOC's motion to dismiss, despite the fact that the Magistrate Judge issued an order directing Plaintiff to do so. Plaintiff's objections are overruled for this reason, as well.